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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,883	09/29/2000	Nobuaki Takishita	JP919990091 US1	9224

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/675,883	TAKISHITA, NOBUAKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Benjamin R. Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6 and 8-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **Detailed Action**

#### **Status of Claims:**

Claims 1, 3-6, 8-17 are pending in this Office Action.

Claims 2 and 7 are canceled.

Claims 1, 6, 10 are amended.

### **Response to Arguments**

Applicant's arguments filed in the amendment filed 11-3-05, have been fully considered but they are not persuasive and are moot in view of added grounds of rejection. The reasons are set forth below.

#### **Applicant's invention as claimed:**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 3-6, 8-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed

invention. The term 'ever' is used in the independent claim language but does not appear in the specification.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 1, 3-6, 8-17 recites the limitation "ever" in claim preamble. There is insufficient antecedent basis for this limitation in the claim.

### **Specification**

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The claim limitation recites displaying whether as user has 'ever' accessed a document. The term ever to denote as applicant is arguing is not present in the specification.

**Claims 1, 3, 5, 11, 6, 13, 15, 16, and 10 are rejected under 102(b) as being anticipated by U.S. Patent No. 4,974,173 by Stefik et al.**

Regarding claim 1,

a method of indicating user access status for each of a plurality of users of collaborative groupware software (Stefik: col. 4, lines 43-50), said user access status indicating whether each particular user has ever accessed at least one document of said groupware (Stefik: col. 4, lines 56-68), said method comprising the steps of:

(a) displaying a status row bar in a view window of each user (Stefik: col. 4, lines 43-55);  
and

(b) automatically providing a user access status indicating the user access status for every user of each document of said groupware in said displayed status row bar (Stefik: col. 4, lines 35-68), said user access status indication being viewable by all of said plurality of users of the groupware (Stefik: col. 4, lines 43-68).

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Regarding claim 3, the method according to claim 1, wherein when the users are divided into groups (Stefik: col. 4, lines 28-37), and wherein said user access status indication further shows what percentage of the users of each group have read each document for each group (Stefik: col. 7, line 65- col. 8, line 20).

Regarding claim 5, the method according to claim 1, wherein said status indication is provided by colors or patterns (Stefik: col. 7, lines 37-43).

Regarding claim 11, the method according to claim 1, wherein said user status indicates whether a user has changed a document (Stefik: col. 4, lines 56-65).

Regarding claim 6, an apparatus for carrying out a method of indicating a user access status regarding access to at least one document of collaborative groupware software for each of a plurality of users of groupware (Stefik: col. 4, lines 43-50), said user access status indicating whether each user has ever accessed status indicating whether each user has accessed at least one document of said groupware (Stefik: col. 4, lines 56-68), said apparatus comprising:

a server connected to a network comprising a status determining component for automatically determining and updating user access status for every user of said plurality of users and a status database for storing a plurality of user access status indications (Stefik: col. 4, lines 35-68; col. 1, lines 51-61); and

at least one display device for displaying said user access status indications viewable by all of said plurality of users of groupware (Stefik: col. 4, lines 43-55).

Regarding claim 13, the apparatus according to claim 6, wherein when the users are divided into groups (Stefik: col. 4, lines 28-37), said user access status indication further shows what percentage of the users of each group have read each document for each group (Stefik: col. 7, line 65- col. 8, line 20).

Regarding claim 15, the apparatus of claim 6 further comprising a manager operation section connected to said network and comprising a manager input device and a manager screen (Stefik: col. 5, lines 54-60).

Regarding claim 16, the apparatus according to claim 6 further comprising a user operation section connected said network and including at least one user screen and at least one user input device (Stefik: col. 5, lines 54-60).

Regarding claim 10, a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for indicating user access status for each of a plurality of users of collaborative groupware software (Stefik: col. 4, lines 43-50), said user access status indicating whether each particular user has ever accessed at least one document of said groupware (Stefik: col. 4, lines 56-68), said method comprising the steps of:

(a) displaying a status row bar in a view window of each user (Stefik: col. 4, lines 43-55);  
and

(b) automatically providing a user access status indication indicating the user access status for every user of each document of said groupware in said displayed status row bar (Stefik: col. 4, lines 35-68), said user access status indication being viewable by all of said plurality of users of the groupware (Stefik: col. 4, lines 43-68).

**Claims 4 and 14 are rejected under 103(a) as being unpatentable by U.S. Patent No. 4,974,173 by Stefik et al in view of U. S. Patent No. 5,504,889 by Burgess.**

Regarding claim 4, the Stefik reference teaches the method according to claim 1.

The Stefik reference does not explicitly state documents into groups.

The Burgess reference teaches documents are divided into document groups, each of which consists of a plurality of documents (Burgess: col. 1, lines 26-35; category including one or more files), said method further comprising displaying a document group status indication showing whether at least one of the documents in each document group has not been read for each document group (Burgess: col. 2, lines 12-20).

The Burgess reference further teaches the invention keeps track of which files remain unread by a user (Burgess: col. 1, lines 14-21).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of indicating user status in groupware as taught by Stefik while grouping documents and checking which documents in the group are unread as taught by Burgess in order to keep track of which files a user has not read (Burgess: col. 1, lines 14-21).

Claim 14 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Burgess et al and Stefik et al.

Regarding claim 14, the apparatus of claim 6, where when the documents are divided into document groups, each of which consists of a plurality of documents (Burgess: col. 1, lines 26-35; category including one or more files), said method further comprising displaying a document group status indication showing whether at least one of the documents in each document group has not been read for each document group (Burgess: col. 2, lines 12-20).

**Claims 8 and 12 are rejected under 103(a) as being unpatentable by U.S. Patent No. 4,974,173 by Stefik et al in view of U.S. Patent No. 6,230,185 by Salas et al.**

Regarding claim 12, the Stefik reference teaches the method according to claim 11.

The Stefik reference does not explicitly state marking a document as "not read."

The Salas reference teaches when a user changes a document, the user access status indication is automatically updated to "not read." (Salas: col. 5, lines 43-49).

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The Salas reference further teaches the system allows users to perform work on files and objects locally and upload them to the server for viewing, comment, or further modification by other project team members (Salas: col. 12, lines 31-37).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of indicating user status in groupware as taught by Stefik while indicating whether a user has changed a document as taught by Salas in order to allow other project team members to view, comment, or further modify the file (Salas: col. 12, lines 31-37).

Regarding claim 8,

The Stefik reference teaches the apparatus according to claim 6, wherein said server further comprises a status update component, wherein when a user changes a document to provide an updated document (Stefik: col. 4, lines 56-65).

The Stefik reference teaches indicating to other user when a change occurs but not setting the document to unread.

The Salas reference teaches statuses of the other of said plurality of users are automatically set to "not read" in said status database for said document (Salas: col. 5, lines 43-49).

The Salas reference further teaches the system allows users to perform work on files and objects locally and upload them to the server for viewing, comment, or further modification by other project team members (Salas: col. 12, lines 31-37).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of indicating user status in groupware as taught by Stefik while indicating whether a user has changed a document as taught by Salas in order to allow other project team members to view, comment, or further modify the file (Salas: col. 12, lines 31-37).

**Claim 9 is rejected under 103(a) as being unpatentable by U.S. Patent No. 4,974,173 by Stefik et al in view of U.S. Patent No. 6,230,185 by Salas et al in further view of U.S Patent No. 5,842,195 by Peters et al.**

Regarding claim 9,

The Stefik and Salas references teach the apparatus according to claim 8.

The Stefik and Salas references do not explicitly state mail generation.

The Peters reference teaches mail generation component from which a mail is sent to members of a specific group who have not read the document (Peters: col. 21, lines 21-36; mail sent to remind of the survey).

The Peters reference further teaches the system tracks users responses and can be used to send reminders to those who have not responded to prompt action from a few more users (Peters: col. 21, lines 21-45).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of indicating user status in groupware as taught by Stefik and Salas while utilizing mail generation as taught by Peters in order to track users responses and send reminders to those who have not responded to prompt action from a few more users (Peters: col. 21, lines 21-45).

**Claim 17 is rejected under 103(a) as being unpatentable by U.S. Patent No. 4,974,173 by Stefik et al in view of U.S Patent No. 5,842,195 by Peters et al.**

Regarding claim 17,

The Stefik reference teaches the apparatus according to claim 6.

The Stefik reference does not explicitly state mail generation.

The Peters reference teaches mail generation component from which a mail is sent to members of a specific group who have not read the document (Peters: col. 21, lines 21-36; mail sent to remind of the survey).

The Peters reference further teaches the system tracks users responses and can be used to send reminders to those who have not responded to prompt action from a few more users (Peters: col. 21, lines 21-45).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of indicating user status in groupware as taught by Stefik while utilizing mail generation as taught by Peters in order to track users responses and send reminders to those who have not responded to prompt action from a few more users (Peters: col. 21, lines 21-45).

Peters uses a mail generation object to provoke members through email to fill out a survey. The Stefik reference teaches the system that maintains users read/access of files of a system. Peters is relied upon for mail generation component but also teaches tracking user responses which is a related feature of the instant application and Stefik.

### **REMARKS**

Applicant has amended the independent claims to recite an added limitation “ever” with regards to access of at least one document of said groupware.

#### **The Applicant Argues:**

The Stefik reference doesn’t teach indicating access of documents that have been “ever” accessed by users of a groupware setting.

**In response**, the examiner respectfully submits:

1. The Stefik reference does anticipate the amended claim limitation. The term ‘ever’ is used in applicant’s arguments to denote displaying indication that access has been made in the



past. Applicant's arguments try to distinguish the claim language from Stefik by emphasizing 'ever' versus 'current' or 'real-time' interactions. The examiner maintains Stefik reads open the amended claim language. Stefik teaches indicating user access on documents and files when 'ever' activity by a user is made. Col. 4, lines 56-65 shows indication of the activity of users. Indication is given when 'ever' a user accesses or changes data. Therefore for indication to be made, a user has to have 'ever' made a change or access by other users.

2. Further the term 'ever' is objected to as not anticipated by the specification and is rejected under 112, first as not being disclosed in the specification.

3. The recitation 'ever' has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Stefik teaches displaying user status by indicating user's activities relating to shared data (col. 4, lines 21-24; 45-47). Data status such as changed or accessed is based on activity from users as is a 'not accessed' status. Data status cannot change without a user interaction or activity.

With respect to claim 4, applicant argues the combination has non-obvious.

Regarding claim 4, the Stefik reference teaches the method according to claim 1.

The Stefik reference does not explicitly state documents into groups.

The Burgess reference teaches documents are divided into document groups, each of which consists of a plurality of documents (Burgess: col. 1, lines 26-35; category including one or more files), said method further comprising displaying a document group status indication

showing whether at least one of the documents in each document group has not been read for each document group (Burgess: col. 2, lines 12-20).

The Burgess reference further teaches the invention keeps track of which files remain unread by a user (Burgess: col. 1, lines 14-21).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of indicating user status in groupware as taught by Stefik while grouping documents and checking which documents in the group are unread as taught by Burgess in order to keep track of which files a user has not read (Burgess: col. 1, lines 14-21).

There is sufficient evidence to combine the multi-user system that displays an indication of user access as taught by Stefik with the document features of Burgess to keep track of which files that remain unread by a user.

Regarding the Salas reference, applicant argues Salas does not state or suggest automatically tracking, updating or displaying/notifying users of a change. Salas: col. 5, lines 43-49 teaches the user access status indication is automatically updated to "not read" when a new file is created or a file is modified since the viewer last accessed it. "Not read" is the display and notification of a change as well as you can see the system performs tracking and updating of the files. The combination of Stefik and Salas teach the claimed limitations.

Regarding the Peters reference, applicant argues the combination has non-obvious.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after


the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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